

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IMPINJ, INC.,

Plaintiff,

v.

NXP USA, INC.,

Defendant.

Case No. 4:19-cv-03161-YGR-VKD

**JOINT WITNESS LIST**

Pursuant to Section 3(c) of the Court's Standing Order re: Pretrial Instructions in Civil Cases (updated on December 21, 2023), Pretrial Order No. 1A Re: Re-trial Date, and the parties' agreement, Plaintiff Impinj, Inc. ("Impinj") and Defendant NXP USA, Inc. ("NXP") hereby submit a list of all witnesses that are likely to be called at trial other than solely for impeachment or rebuttal.

#### A. Impinj Witness List

Witness <sup>1</sup>	Summary of Testimony	Presentation	Direct Estimate	Cross Estimate
Christopher Diorio*  400 Fairview Avenue North, Seattle WA 98109	Mr. Diorio will testify regarding Impinj's founding and business, the nature of the market, the development of Impinj's Monza and M700 products, Impinj's focus on innovation and patenting, the competitive relationship between Impinj and NXP, NXP's copying of Impinj's patented features, Impinj's notice to NXP of its infringement of the patents in suit, and the harm to Impinj from NXP's infringement. He might also discuss other subject matter discussed at his depositions.	Live	60 minutes	
Ronald Oliver*  400 Fairview Avenue North, Seattle WA 98109	Mr. Oliver will testify regarding the nature and importance of the patented innovations and their incorporation into Impinj's products, including the subject matter of the witness's deposition testimony in the Impinj/NXP patent infringement litigations.	Live	60 minutes	

<sup>1</sup> An \* signifies that the witness is viewed as a primary witness. A ^ signifies that the witness is only included as a possible witness.

Harley Heinrich*	Mr. Heinrich will testify regarding development of Impinj's Monza and M700 products, the conception, reduction to practice and subject matter of the channel shape claimed in the '302 patent, including the subject matter of the witness's deposition testimony in the Impinj/NXP patent infringement litigations.	Live or alternatively by video deposition	15 minutes	
Jeff Dossett^	Mr. Dosset may testify regarding the sales and profitability of Impinj's Monza and M700 products, as well as the and the harm to Impinj from NXP's infringement, including the subject matter of the witness's deposition testimony in the Impinj/NXP patent infringement litigations.	Live (post-trial hearing only)	30 minutes	
Franz Amtmann*	Mr. Amtmann will testify regarding the development, functionality, and operation of NXP's Accused Products, the relationship between NXP and Impinj, NXP's awareness of the Asserted Patents, and NXP's monitoring and analysis of Impinj's products and patents.	Live or alternatively by video deposition	15 minutes	
Kurt Bischof^	Mr. Bischof may testify regarding the development of NXP's Accused Products including the adoption of the accused features, and the subject of his deposition testimony. .	By video deposition	10 minutes	
Roland Brandl^	Mr. Brandl may testify regarding the development, functionality and operation of NXP's Accused Products and NXP's monitoring and analysis of Impinj's products.	By video deposition	15 minutes	

Austria				
Ralf Kodritsch* Mikron-Weg 1, 8101 Gratkorn, Austria	Mr. Kodritsch will testify regarding NXP's RAIN RFID business, NXP's analysis of Impinj's products, NXP's adoption of the accused features, the competitive relationship between Impinj and NXP, the marketing of NXP's Accused Products, the manufacturing, distribution, importation, use of NXP's Accused Products and the subject matter of his deposition testimony.	Live or by video deposition	25 minutes	
Nigel Stott^ 600 Unicorn Park Dr. Woburn, MA 01801	Mr. Stott may testify regarding the marketing and sales of NXP's Accused Products.	By video deposition	5 minutes	
Hermann Zach* Mikron-Weg 1, 8101 Gratkorn, Austria	Mr. Zach will testify regarding the development, functionality and operation of NXP's Accused Products, the adoption of the accused features, the competition between Impinj and NXP, NXP's monitoring and analysis of Impinj's products, and the subject matter of the witness's deposition testimony in the Impinj/NXP patent infringement litigations.	By video deposition	20 minutes	
Christian Zenz* Mikron-Weg 1, 8101 Gratkorn, Austria	Mr. Zenz will testify regarding the development, functionality and operation of NXP's Accused Products, NXP's awareness of the Asserted Patents, NXP's analysis of Impinj's products, and the subject matter of the witness's deposition testimony in the Impinj/NXP patent infringement litigations.	By video deposition	20 minutes	
Srinath	Mr. Rajen may testify	By video	10 minutes	

Rajen^ 6501 W William Cannon Dr., Austin, Texas 78735	regarding NXP's corporate structure, NXP's revenue model, product pricing, revenue allocation across affiliated NXP companies, and other financial information associated with the Accused Products.	deposition		
Derrick Davies^ 81 Christian Way, North Andover, Massachusetts 01845	Mr. Davies may testify regarding the marketing and sales of NXP's Accused Products.	By video deposition	5 minutes	
Scott Thompson, Ph.D.* 535 New Engineering Building, P.O. Box 116130, Gainesville, Florida 32611	Dr. Thompson will testify about the background of the technology and the art concerning the '302 patent, validity of the '302 patent, matters discussed in his expert reports and deposition, and in response to Defendant's experts	Live	60 minutes	

## B. NXP Witness List

It is NXP's position that this trial presents a narrow issue that could be efficiently presented to the jury based solely on expert testimony. However, should Impinj be permitted to present evidence beyond expert testimony, NXP may need to call such witnesses to provide appropriate context or rebuttal. To that end, NXP identifies below the following witnesses that may be called during the jury trial either live or by video deposition. NXP also identifies witnesses that it will call live (or by deposition) and that it may call live (or by deposition) at the evidentiary hearing.

<b>Name<sup>2</sup></b>	<b>Subject of Testimony</b>	<b>Presentation</b>	<b>Estimate for Direct Exam.</b>	<b>Estimate for Cross-Exam.</b>
Kurt Bischof <sup>^†</sup>	Marketing, advertising, and development of the accused products; NXP's product development, business development, and competitive strategies; matters discussed in his deposition	Video	10 minutes	
Paul Davies <sup>^†</sup>	Marketing, advertising, and development of the accused products; business development and customer relationships; matters discussed in his deposition	Video or Live	10 minutes	
Christopher Diorio <sup>^†</sup>	Design, development, function, and marketing of Impinj's competing products; general company background; matters discussed in his deposition including Impinj's business and competitive strategies and customer accounts; matters discussed in his deposition	Video or Live	30 minutes	
Jeffrey Dossett <sup>^†</sup>	Marketing, product flow and advertising of Impinj's competing products; financial information; general company background; matters discussed in his deposition including Impinj's business	Video or Live	15 minutes	

<sup>2</sup> ^ indicates a witness that NXP may call live or by deposition during the jury trial. It is NXP's position that this trial presents a narrow issue that could be efficiently presented to the jury based solely on expert testimony. However, should Impinj be permitted to present evidence beyond expert testimony, NXP may need to call such witnesses to provide appropriate context or rebuttal.

× indicates a witness that NXP will call live or by deposition during the evidentiary hearing ordered by the court.

† indicates a witness that NXP may call live or by deposition during the evidentiary hearing ordered by the court.

Name <sup>2</sup>	Subject of Testimony	Presentation	Estimate for Direct Exam.	Estimate for Cross-Exam.
	and competitive strategies and customer accounts; matters discussed in his deposition			
Harley Heinrich <sup>^†</sup>	Conception and reduction to practice of inventions claimed in the '302 patent; background of technology relevant to '302 patent; implementation of inventions of the '302 patent in Impinj's products; matters discussed in his deposition	Video or Live	15 minutes	
Ray Henling <sup>^†</sup>	NXP's financial information; matters discussed in his deposition	Live or Video	15 minutes	
Ralf Kodritsch <sup>^x</sup>	Marketing, product flow and advertising of the accused products; financial information; general company background; any efforts to redesign NXP's accused products; matters discussed in his deposition	Live or Video	90 minutes	
Ronald Oliver <sup>^†</sup>	Relationship between the parties; marketing, product flow and advertising of Impinj's competing products; general company background; Impinj's business and competitive strategies and customer accounts; litigation between Impinj and NXP; matters discussed in his deposition	Video or Live	30 minutes	
Nigel Stott <sup>^†</sup>	Marketing, advertising, and development of the accused products; business development and customer relationships; matters discussed in his deposition	Video or Live	15 minutes	
Hermann Zach <sup>^†</sup>	Marketing, advertising, and development of the accused	Video or Live	30 minutes	

Name <sup>2</sup>	Subject of Testimony	Presentation	Estimate for Direct Exam.	Estimate for Cross-Exam.
	products; nature of the marketplace; NXP's product development, business, and competitive strategies; matters discussed in his deposition			
Christian Zenz ^x	Design, manufacture, fabrication, assembly, and function of aspects of the accused products; history of development of NXP products; technical aspects concerning alternative designs to accused products; any efforts to redesign NXP's accused products; matters discussed in his deposition	Live	90 minutes	



1 DATED: January 24, 2024

2 By: /s/ Lisa L. Furby

3 Lisa L. Furby

4 Tharan Gregory Lanier  
 (California State Bar No. 138784)  
 5 tglanier@jonesday.com  
 Michael C. Hendershot  
 6 (California State Bar No. 211830)  
 mhendershot@jonesday.com  
 7 Gurneet Singh  
 (California State Bar No. 333711)  
 8 gsingh@jonesday.com  
 JONES DAY  
 9 1755 Embarcadero Road  
 Palo Alto, CA 94303  
 10 Telephone: (650) 739-3939  
 Facsimile: (650) 739-3900

11 Thomas W. Ritchie (admitted *pro hac*  
*vice*)  
 12 (Illinois State Bar No. 6301954)  
 twritchier@jonesday.com  
 13 Lisa L. Furby (admitted *pro hac vice*)  
 (Illinois State Bar No. 6312855)  
 14 lfurby@jonesday.com  
 15 John M. Michalik (admitted *pro hac*  
*vice*)  
 16 (Illinois State Bar No. 6280622)  
 jmichalik@jonesday.com  
 17 Timothy J. Heverin (admitted *pro hac*  
*vice*)  
 18 (Illinois State Bar No. 6243107)  
 tjheverin@jonesday.com  
 19 JONES DAY  
 110 North Wacker Drive, Suite 4800  
 20 Chicago, IL 60606  
 Telephone: (312) 782-3939  
 21 Facsimile: (312) 782-8585

22 Yury Kalish (admitted *pro hac vice*)  
 (D.C. State Bar No. 1020172)  
 23 ykalish@jonesday.com  
 Tracy A. Stitt (admitted *pro hac vice*)  
 24 (D.C. State Bar No. 1015680)  
 tastitt@jonesday.com  
 25 Robert Levent Herguner (admitted *pro*  
*hac vice*)  
 26 (New York State Bar No. 5722228)  
 rlherguner@jonesday.com  
 27 JONES DAY  
 51 Louisiana Ave., N.W.  
 28

By: /s/ Ramsey M. Al-Salam

Ramsey M. Al-Salam, Bar No. 109506  
 Christina J. McCullough, Bar No. 245944  
 Antoine M. McNamara, Bar No. 261980  
 R. Tyler Kendrick (admitted *pro hac vice*)  
 Jessica J. Delacenserie (admitted *pro hac vice*)  
 PERKINS COIE LLP  
 1201 Third Avenue, 49th Floor  
 Seattle, WA 98101  
 Tel: 206.359.8000  
 Fax: 206.359.9000  
 RAlSalam@perkinscoie.com  
 CMcCullough@perkinscoie.com  
 AMcNamara@perkinscoie.com  
 RKendrick@perkinscoie.com  
 JDelacenserie@perkinscoie.com

Daniel T. Shvodian, Bar No. 184576  
 PERKINS COIE LLP  
 3150 Porter Drive  
 Palo Alto, CA 94304  
 Tel: 650.838.4300  
 Fax: 650.737.5461  
 DShvodian@perkinscoie.com

Daniel T. Keese, Bar No. 280683  
 PERKINS COIE LLP  
 1120 N.W. Couch Street, 10th Floor  
 Portland, OR 97209-4128  
 Tel: 503.727.2000  
 Fax: 503.727.2222  
 DKeese@perkinscoie.com

*Attorneys for Plaintiff Impinj, Inc.*

1 Washington, D.C. 20001  
2 Telephone: (202) 879-3939  
3 Facsimile: (202) 626-1700

4 T. Kaitlin Crowder (admitted *pro hac*  
5 *vice*)  
6 (Ohio State Bar No. 0095796)  
7 Robert M. Breetz (admitted *pro hac*  
8 *vice*)  
9 (Ohio State Bar No. 0098968)  
10 [kcrowder@jonesday.com](mailto:kcrowder@jonesday.com)  
11 JONES DAY  
12 901 Lakeside Ave. E.  
13 Cleveland, OH 44114  
14 Telephone: (216) 586-7347  
15 Facsimile: (216) 579-0212

16 Matthew J. Silveira  
17 (California State Bar No. 264250)  
18 JONES DAY  
19 555 California Street, 26th Floor  
20 San Francisco, CA 94104  
21 Telephone: (415) 626-3939  
22 Facsimile: (415) 875-5700  
23 [msilveira@jonesday.com](mailto:msilveira@jonesday.com)

24 *Attorneys for Defendant NXP USA, INC.*  
25  
26  
27  
28